

# Notice of Allowability

Application No.

09/634,637

Examiner

Mujtaba K. Chaudry

Applicant(s)

YAMAUCHI, KEN

Art Unit

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/21/2006.
2. ☒ The allowed claim(s) is/are 1-7 and 9-30.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**GUY LAMARRE**  
**PRIMARY EXAMINER**

### REASONS FOR ALLOWANCE

Claims 1-7 and 9-30 are allowed. The following is an Examiner's statement of reasons for allowance:

Independent claim 1 of the present application teaches a method of decoding time division multiplexed data including a plurality of data streams convolutionally encoded with different coding rates and modulated using any one of BPSK, QPSK and 8PSK, the method comprising: decoding, using a Viterbi decoding algorithm, a first data stream that is included in the time division multiplexed data and modulated using any one of 8PSK and QPSK; decoding using the Viterbi decoding algorithm, a second data stream that is included in the time division multiplexed data and modulated using any one of QPSK and BPSK; and initializing, after completion of the decoding of the first data stream and before performing the decoding of the second data stream, a path metric that has been calculated before the completion of the decoding of the first data stream, except when both the first data stream and the second data stream are modulated using QPSK. The foregoing limitations are not found in the prior arts of record. Particularly, none of the prior arts of record teach nor fairly suggest, "...initializing, after completion of the decoding of the first data stream and before performing the decoding of the second data stream, a path metric that has been calculated before the completion of the decoding of the first data stream, except when both the first data stream and the second data stream are modulated using QPSK" are not taught nor fairly suggested in the prior arts of record.

Independent claims 3, 9, 10, 12, 13, 15 and 17 include similar limitations of independent claim 1 and therefore are allowed for similar reasons.

Art Unit: 2133

Dependent claims 2, 4-7, 11, 14, 16 and 18-30 depend from allowable independent claims and inherently include limitations therein and therefore are allowed as well.

Any inquiries concerning this communication should be directed to the examiner, Mujtaba Chaudry who may be reached at 571-272-3817. The examiner may normally be reached Mon – Thur 6:30 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, please contact the examiner's supervisor, Albert DeCady at 571-272-3819.



Mujtaba Chaudry  
Art Unit 2133  
April 10, 2006



**GUY LAMARRE**  
**PRIMARY EXAMINER**